

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. S-12/08-553
)
 Appeal of)

INTRODUCTION

The petitioner appeals a decision of the Office of Vermont Health Access denying her Vermont Health Access Program (VHAP) coverage for certain homeopathic medications. The issue is whether these medications can be covered without a prescription from an approved medical provider.

DISCUSSION

The facts are not in dispute. The petitioner seeks VHAP coverage for the purchase of certain homeopathic medications and remedies that she has found help her with certain physical and mental health problems. To date, the petitioner has not located a doctor who will prescribe these medications. In the past she has tried more traditional medications prescribed by a psychiatrist, but she feels the homeopathic remedies she uses are more effective medically, and cost far less.

The Department has informed the petitioner that as a general matter homeopathic treatment and medications can be

covered under VHAP, but, like all medical treatment and medication, only if prescribed and distributed by a qualified medical provider.

ORDER

The decision of the Department is affirmed.

REASONS

As a basic matter of coverage the VHAP and Medicaid regulations provide that all drugs and preparations must be prescribed by and sold through licensed professional providers enrolled in the Medicaid program. W.A.M. § M800. In this case, there is no dispute that the medications sought by the petitioner have not been specifically "prescribed" by any medical provider. The Department indicates that it stands willing to consider VHAP coverage for any medications that are duly prescribed by a medical provider. Until such time, however, in light of the foregoing the Department's decision in this matter must be affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

#